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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,807	12/21/2001	Yoshihiro Inomata	Q67776	4027

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SUGHRUE, MION, ZINN,
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 2100 Pennsylvania Avenue, N.W.
 Washington, DC 20037

EXAMINER

KOSOWSKI, ALEXANDER J

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 02/18/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/023,807

Applicant(s)

INOMATA, YOSHIHIRO

Examiner

Alexander J Kosowski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2 and 4.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

- 1) Claims 1-18 are presented for examination.

Specification

- 2) The disclosure is objected to because of the following informalities:

Referring to Page 17, line 11, the word “massage” should read --message--.

Appropriate correction is required.

Claim Objections

- 3) Claims 1 and 10 are objected to because of the following informalities:

Referring to claim 1, line 8, the word “send” should read --sends--.

Referring to claim 1, line 11, the phrase “controls corresponding” should read --controls the corresponding--.

Referring to claim 10, line 3, the phrase “locked during the locker” should read --locked while the locker--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

- 4) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 5) Claims 1-4, 6-9, 11-12 and 14 are rejected under 35 U.S.C. 102(e) as being unpatentable by Moreno (U.S. PGPUB 2002/0035515).

Referring to claim 1, Moreno teaches a locker system comprising lockers (Paragraph 0008, lines 3-5), a control center for remotely controlling said lockers, locker controllers applied to said lockers respectively, and user terminals operated by users of said lockers (Paragraphs 0019 and 0031), wherein each of said lockers include at least one compartment having an electronically controlled lock system and a display unit for displaying information given by said control center (Paragraphs 0027 and Paragraphs 0043), said control center receives requests from said user terminals via a telecommunications network, and sends instructions based on the received requests to said locker controller via said telecommunications network (Paragraphs 0029 and 0031), and said locker controller receives the instruction from said control center via said telecommunications network, and controls the corresponding locker based on the received instruction (Paragraphs 0029 and 0031).

Referring to claim 2, Moreno teaches that said control center obtains status information of said lockers, specifies an available locker compartment based on the status information and the user's request, and provides information representing the available locker compartment to said user terminal which requested said control center to inform an available locker compartment (Paragraphs 0056 and 0059).

Referring to claim 3, Moreno teaches that said locker controller controls said electronically controlled lock system of the compartment to lock or unlock the compartment indicated by the instruction from said control center (Paragraphs 0027 and 0031).

Referring to claim 4, Moreno teaches said control center generates ID information in response to receiving the user's request and transmits the generated ID information to said locker controller (Paragraphs 0068 and 0085-0086), said locker controller receives the ID information

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from said control center and controls corresponding display unit to display the received ID information (Paragraphs 0085-0086), said user terminal transmits the ID information input by the user to said control center and said control center receives the ID information from said user terminal and transmits an instruction to allow the user to use the locker compartment to said locker controller, if the received ID information is correct (Paragraphs 0068 and 0084-0085).

Referring to claim 6, Moreno teaches a delivery center and deliverer terminals connected said telecommunication network, wherein said control center obtains information regarding the delivery from said delivery center, stores in a storage unit information sets each regarding to the delivery, the locker compartments, and the users so that the information sets are associated to each other, specifies a locker compartment based on the information stored in said storage unit, transmits information representing the specified locker compartment to said deliverer terminal and allows the deliverer to use the specified compartment by sending an instruction to unlock the compartment to said locker controller (Paragraphs 0085-0089).

Referring to claim 7, Moreno teaches an advertising information provider being connected to said telecommunications network, which provides advertisement information to be displayed on said display unit with said locker controller wherein said advertisement information provider obtains information regarding to a user of said locker compartment, selects advertisement information based on the information regarding to the user, and transmits the selected advertisement information to said locker controller when the user uses the locker compartment (Paragraphs 0008 and 0048).

Referring to claim 8, Moreno teaches a billing server connected to said telecommunications network, which bills for service fees regarding to said locker (Paragraph 0044).

Referring to claim 9, Moreno teaches obtaining information representing the status of lockers via a telecommunications network (Paragraphs 0056 and 0059), receiving user's request via said telecommunications network, specifying an available locker compartment in said locker which matches the user's request based on the obtained status information and informing the user of the specified locker via said telecommunications network (Paragraph 0059), informing the specified locker of ID information via said telecommunications network together with an instruction to present the ID information to the user, receiving the ID information from the user via said telecommunications network and providing a locker with an instruction to unlock the specified locker compartment via said telecommunications network, if the received ID information is correct (Paragraphs 0068 and 0085-0086).

Referring to claim 11, Moreno teaches obtaining advertisement information to be presented at the lockers, obtaining information regarding to a user via said telecommunications network, selecting advertisement information based on the obtained information regarding to the user, and providing said locker with the selected advertisement information via said telecommunications network together with an instruction to present the provided advertisement information when the user uses the locker compartment (Paragraphs 0008 and 0048).

Referring to claim 12, Moreno teaches obtaining information regarding delivery from a deliverer via said telecommunications network, specifying a locker compartment in said locker based on the obtained delivery information, informing the deliverer of the information

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representing the specified locker compartment via said telecommunications network, and informing the specified locker of ID information via said telecommunications network together with an instruction to present the ID information to the deliverer, wherein said ID information receiving step receives the ID information from the deliverer via said telecommunications network and said instruction providing step provides a locker with an instruction to unlock the specified locker compartment via said telecommunications network, if the received ID information is correct (Paragraphs 0085-0089).

Referring to claim 14, Moreno teaches obtaining information representing fees for the services of the lockers user by user and billing the user for the service based on the obtained fee information (Paragraph 0044).

Claim Rejections - 35 USC § 103

6) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7) Claims 5 and 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreno.

Referring to claims 5 and 10, Moreno teaches the system above whereby lockers can be kept locked or unlocked. However, Moreno does not explicitly teach that unused locker compartments are kept locked.

It is respectfully submitted that a locker compartment could be kept in either a locked or unlocked state when empty, and the skilled artisan would have found it an obvious modification

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to keep the compartment locked with the motivation of providing increased security by limiting locker storage access only to registered or paying customers.

Referring to claim 13, Moreno teaches the method above whereby specific locker compartments can be accessed by authorized users. However, Moreno does not explicitly teach recognizing a plurality of users as a group and allowing the plurality of users of the group to share the specified locker compartment.

It is respectfully submitted that any number of users could share a single locker by utilizing the same access information, and the skilled artisan would have found it an obvious modification to allow multiple users access to the same locker with the motivation of providing redundant accessibility and the capability to distribute a high volume of goods to multiple similar recipients.

8) Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreno, further in view of Cayne et al (U.S. PGPUB 2002/0147525).

Referring to claim 15, Moreno teaches a connector which connects a control center to a telecommunications network (Paragraph 0029), a status manager which controls said connector to obtain status information of the lockers (Paragraphs 0056 and 0059), a request receiver which controls said connector to receive user's request from user's terminals being connected to said telecommunications network and a locker finder which specifies an available locker compartment based on the status information, which matches the user's request received by the receiver (Paragraphs 0056 and 0059), an ID information generator which generates ID information in response to the specification by said locker finder, an information presenter which controls said connector to present information representing the locker compartment specified by

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said locker finder to said user's terminal together with the ID information generated by said ID information generator and an ID information transmitter which controls said connector to provide the specified locker compartment with the ID information (Paragraphs 0068 and 0085-0086), an ID information receiver which controls said connector to receive the ID information from the user's terminal, and ID information authenticator which determines whether the ID information received by said ID information receiver coincides with the ID information generated by said ID information generator, and a locker controller which controls said connector to transmit an instruction to unlock the locker compartment if said ID information authenticator determines that the ID information sets coincide with each other (Paragraphs 0068 and 0085-0086). However, Moreno does not explicitly teach that the ID information transmitter which controls said connector provides the specified locker compartment with an instruction to present the ID information to the user.

Cayne teaches a control center for remotely controlling lockers whereby each locker compartment comprises means to present information to a user (Paragraph 0050).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide specified locker compartments with instructions to display information to the user in the invention taught by Moreno since this would allow a user to observe the status of the locker via a visual indication (Cayne, Paragraph 0050).

Referring to claim 16, Moreno teaches an advertisement manager which obtains advertisement information to be presented at the lockers, a user information obtainer which obtains information regarding to the user, and an advertisement selector which selects advertisement information based on the user information obtained by said user information

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obtainer, wherein said locker controller controls said connector to transmit the advertisement information selected by said advertisement selector to the specified locker together with an instruction to present the advertisement information to the user (Paragraphs 0008 and 0048). However, Moreno does not explicitly teach that the selected advertisement information is transmitted to the specified locker compartment.

Cayne teaches a control center for remotely controlling lockers whereby each locker compartment comprises means to present information to a user (Paragraph 0050).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide specified locker compartments with instructions to display information to the user in the invention taught by Moreno since this would allow a user to observe the status of the locker via a visual indication (Cayne, Paragraph 0050). In addition, examiner notes that Moreno provides the functionality to display advertisements at a user terminal, and it would therefore have been obvious to expand this functionality by duplicating the user terminal for each specific locker compartment since this would allow more users to view advertisements simultaneously, which would increase the effectiveness of the advertising campaign.

Referring to claim 17, the claim varies from claim 15 in that it claims a computer readable recording medium storing a program rather than a control center. The control center of claim 15 could inherently be implemented on a computer readable recording medium storing a program. Therefore, referring to claim 17, see rejection of claim 15 above.

Referring to claim 18, Moreno teaches obtaining advertisement information to be presented at the lockers, obtaining information regarding to the user, selecting advertisement information based on the obtained user information, and transmitting the advertisement

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information to the specified locker together with an instruction to present the advertisement information to the user (Paragraphs 0008 and 0048).

Conclusion

9) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mardon (U.S. Pat 5,126,732) – teaches a storage system.

Stevens (U.S. Pat 6,480,758) – teaches a package delivery system.

Watabe (U.S. Pat 5,223,829) – teaches an electric locker.

10) If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

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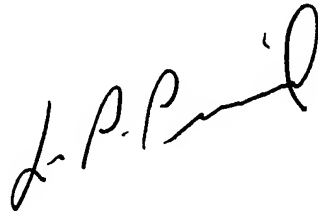
11) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander J Kosowski whose telephone number is 703-305-3958.

The examiner can normally be reached on Monday through Friday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. In addition, the examiner's RightFAX number is 703-746-8370.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Alexander J. Kosowski
Patent Examiner
Art Unit 2125



LEO PICARD
SUPERVISORY PATENT EXAMINER
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